

The motion was agreed to, and at 3:51 p.m., the Senate, sitting as a Court of Impeachment, adjourned sine die.

LEGISLATIVE SESSION

ESCORTING OF THE HOUSE MANAGERS

The PRESIDENT pro tempore. The Acting Sergeant at Arms will escort the House managers out of the Senate Chamber.

Whereupon, the Acting Sergeant at Arms escorted the House managers from the Chamber.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The majority leader.

IMPEACHMENT

Mr. SCHUMER. Mr. President, the case of Donald Trump's second impeachment trial was open and shut.

President Trump told a lie—a big lie—that the election was stolen and that he was the rightful winner. He laid the groundwork for this big lie in the months before the election. He told the big lie on election night, and he repeated the big lie more than 100 times in the weeks afterward.

He summoned his supporters to Washington, assembled them on the Ellipse, whipped them into a frenzy, and directed them at the Capitol. Then he watched as the violence unfolded and the Capitol was breached and his own Vice President fled for his life, and President Trump did nothing.

None of these facts were up for debate. We saw it. We heard it. We lived it. This was the first Presidential impeachment trial in history in which all Senators were not only judges and jurors but witnesses to the constitutional crime that was committed. The former President inspired, directed, and propelled a mob to violently prevent the peaceful transfer of power, subvert the will of the people, and illegally keep that President in power. There is nothing—nothing—more un-American than that. There is nothing—nothing—more antithetical to our democracy. There is nothing—nothing—more insulting to the generations of American patriots who gave their lives to defend our form of government.

This was the most egregious violation of the Presidential oath of office and a textbook example, a classic example of an impeachable offense, wor-

thy of the Constitution's most severe remedy.

In response to the incontrovertible fact of Donald Trump's guilt, the Senate was subject to a feeble and sometimes incomprehensible defense of the former President. Unable to dispute the case on the merits, the former President's counsel treated us to partisan vitriol, false equivalence, and outright falsehoods.

We heard the roundly debunked jurisdictional argument that the Senate cannot try a former official, a position that would mean that any President could simply resign to avoid accountability for an impeachable offense, a position which, in effect, would render the Senate powerless to ever enforce the disqualification clause in the Constitution. Essentially, the President's counsel told the Senate that the Constitution was unconstitutional. Thankfully, the Senate took a firm stance, set a firm precedent with a bipartisan vote in favor of our power to try former officials for acts they committed while in office.

We heard the preposterous claim that the former President's incitement to violence was protected by the First Amendment. The First Amendment right to free speech protects Americans from jail, not Presidents from impeachment. If the President had said during World War II, "Germany should attack the United States on Long Island; we have left it undefended," I suspect Congress would have considered that an impeachable offense.

Finally, defense counsel said that President Trump was not directly responsible for the violence at the Capitol:

His words were merely a metaphor; his directions were merely suggestions; and the violent mob was just a spontaneous demonstration.

Yet wind the clock back, and ask yourself, if at any point Donald Trump did not do the things he did, would the attack on the Capitol have happened? There is only one answer to this question: Of course not. If President Trump hadn't told his supporters to march to the Capitol, if he hadn't implored them to come to Washington on January 6 in the first place, if he hadn't repeatedly lied to them that the election was stolen and their country was being taken from them, the attack would not have happened, could not have happened. January 6 would not have happened but for the actions of Donald Trump.

Here is what the Republican leader of the Senate said: The mob that perpetrated the "failed insurrection" on January 6 "was provoked by President Trump." Do you want another word for "provoke"? How about "incite"? Yet still—still—the vast majority of the Senate Republican caucus, including the Republican leader, voted to acquit former President Trump, signing their names in the columns of history alongside his name forever.

January 6 will live as a day of infamy in the history of the United States of America. The failure to convict Donald

Trump will live as a vote of infamy in the history of the U.S. Senate.

Five years ago, Republican Senators lamented what might become of their party if Donald Trump became their Presidential nominee and standard-bearer. Just look at what has happened. Look at what Republicans have been forced to defend. Look at what Republicans have chosen to forgive. The former President tried to overturn the results of a legitimate election and provoked an assault on our own government, and well over half the Senate Republican conference decided to condone it—the most despicable act that any President has ever committed, and the majority of Republicans cannot summon the courage or the morality to condemn it.

This trial wasn't about choosing country over party, even not that; this was about choosing country over Donald Trump, and 43 Republican Members chose Trump. They chose Trump. It should be a weight on their conscience today, and it shall be a weight on their conscience in the future.

As sad as that fact is, as condemnable as the decision was, it is still true that the final vote on Donald Trump's conviction was the largest and most bipartisan vote of any Presidential impeachment trial in American history.

I salute those Republican patriots who did the right thing. It wasn't easy. We know that. Let their votes be a message to the American people because, my fellow Americans, if this Nation is going to long endure, we as a people cannot sanction the former President's conduct, because if lying about the results of an election is acceptable, if instigating a mob against the government is considered permissible, if encouraging political violence becomes the norm, it will be open season—open season—on our democracy, and everything will be up for grabs by whoever has the biggest clubs, the sharpest spears, the most powerful guns. By not recognizing the heinous crime that Donald Trump committed against the Constitution, Republican Senators have not only risked but potentially invited the same danger that was just visited upon us.

So let me say this: Despite the results of the vote on Donald Trump's conviction in the Court of Impeachment, he deserves to be convicted, and I believe he will be convicted in the court of public opinion. He deserves to be permanently discredited, and I believe he has been discredited in the eyes of the American people and in the judgment of history.

Even though Republican Senators prevented the Senate from disqualifying Donald Trump for any office of honor, trust, or profit under these United States, there is no question Donald Trump has disqualified himself. I hope, I pray, and I believe that the American people will make sure of that. If Donald Trump ever stands for